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SUBJECT: LAO NATIONAL ASSEMBLY PASSES NEW MEDIA LAW

11. (SBU) SUMMARY: The Lao National Assembly (NA) approved a new law on the roles and responsibilities of the media during its July session by a vote of 101 to 2. The new media law codifies the powers of the Ministry of Information and Culture's Mass Media Department. It remains to be seen whether the law will enhance freedoms of the press or further control an already very restricted media. Over time, it will become clear whether the various new laws passed by the NA are part of Laos' movement towards the rule of law or perhaps just an expanded approach to "rule by law".

12. (U) On July 25, 2008, the Lao National Assembly approved a law on the roles and responsibilities of the media in Laos. Drafting of the new media law began in 1995. A first draft of the law presented to the government for approval in 2000 was rejected for a "lack of comprehensiveness." We understand veteran academics, representatives of the mass media, legal technical officials, and interested Government of Laos (GOL) officials helped revise the draft during the past 13 years.

13. (SBU) The new media law provides a legal framework to implement Resolution 36 of the Party Politburo, which covers management of the press. The resolution states that the role and function of the Lao media are to contribute to the country's strategy of national defense and development. Currently the government, which owns and controls most domestic print and electronic media, severely restricts political speech and public criticism deemed harmful to the state's reputation. Accordingly, local news closely reflects government policy. There are a few privately-owned media sources in Laos belonging to well-connected families, often relatives of government officials who manage the formal mass media. These are generally limited to covering carefully selected society items and other "non-threatening" topics.

14. (U) According to officials, the new media law is intended to serve simultaneously as a reference for the Lao people to ensure their "right of free expression" and as a tool for the Party to effectively "supervise and manage" the media. Ministry of Information and Culture Mass Media Department Director General Mr. Vanthong Phonchanhuang stated very clearly: "Media is an important tool and vehicle of the Party."

15. (SBU) The eleven chapters and 66 articles of the media law cover general legislation, features of the media, rights of Lao people in the media, media work, organization and human resources of the media, movement of media, "prohibitions," management and inspection, policies for contributors, and penalties for violations-including disciplinary sanctions if journalists fail to act in accordance with the law. One new element is that the law gives the green light for the private sector, domestic and international, to invest in media in Laos. Apparently, foreign money is welcome, but even media companies with foreign investment would have to avoid harming the reputation of the country.

16. (U) The debate on the media law was broadcast live on Lao national television. One issue under discussion was the requirement for media agencies to obtain permission from the Mass Media Department before adding extra pages to publications. Some NA members argued this restriction limited the independence of the media, but the majority agreed it was a management issue that would

not create obstacles for media development. Another topic of debate was the appropriate minimum age (21 or 25) of a media agency's head official and deputy head official. Some members voiced the desire for state media agencies to take steps towards financial independence. The common practice of journalists asking for payment for coverage of stories was also discussed.

¶17. (SBU) Comment: The lengthy draft period and lack of vigorous, substantive NA debate is characteristic of the Lao legislative process. When the President issues the promulgation notice, the government will also release the implementing regulations which will supply the actual teeth of the law and tell us much more about the future direction of the media in Laos. At this point the impact of the new media law remains unclear, though various laws being considered by the NA are indicative of the GOL's effort to move towards becoming a nation with a more complete code of laws. We will be watching to see how this new law impacts the press in Laos, but it is clear that it will not fundamentally change the nature of the state-controlled media. End Comment.

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